

MICHIGAN PROBATE JUDGES ASSOCIATION

October 13, 2015

Representative Kurt Heise
Chair, House Committee on
Criminal Justice
P.O. Box 30014
Lansing, MI 48909

Re: HB 4480

Dear Chairman Heise:

At its last Board meeting, the Michigan Probate Judges Association (MPJA) voted to oppose HB 4480, which seeks to amend factor (J) under the "best interest of the child" requirements of the Child Custody Act.

Although alternate language to the original version has been proposed, none of the contemplated changes to this bill addresses MPJA's concerns. First, the language of "shall" or "may not" would eliminate judicial discretion in the court's findings under this factor. Second, the changes start to shift the focus away from the best interest of the child to the best interest of one parent. Finally, the proposals do not allow the finder of fact to determine whether the allegations of domestic violence and/or abuse are supported by the evidence.

I hope this feedback is helpful. Please feel free to contact the Chair of our Legislation Committee, Lisa Sullivan, who may be reached at: (989) 224-5194 or our lobbyist, Bill Kandler, if there is anything else we can provide.

Thank you for your time and attention to our concerns.

Sincerely,

Hon. Robert Butts
MPJA President